

Inventor: John C. Reed  
Serial No.: 09/388,221  
Filed: September 1, 1999  
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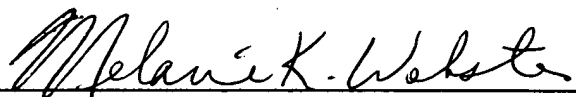
In view of the above amendments and remarks,  
reconsideration and removal of the rejection under 35 U.S.C.  
§ 103(a) is respectfully requested.

**CONCLUSION**

In light of the Amendments and Remarks herein,  
Applicant submits that the claims are now in condition for  
allowance and respectfully requests a notice to this effect.  
Should the Examiner have any questions, she is invited to call  
the undersigned agent or Cathryn Campbell.

Respectfully submitted,

March 19, 2002  
Date

  
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#### **APPENDIX**

1. (Amended) An isolated nucleic acid molecule encoding a NB-ARC and CARD containing protein (NAC), comprising a nucleotide sequence encoding a polypeptide having at least 80% identity to SEQ ID NO:4 or SEQ ID NO:6, or the complement of said nucleotide sequence,

wherein said polypeptide forms a CARD domain fold,

wherein said polypeptide does not comprise amino acids 957-987 of SEQ ID NO:2, and

wherein said polypeptide associates with SEQ ID NO:2 or with Apaf-1.

8. (Amended) An oligonucleotide consisting of [comprising] at least 30 contiguous nucleotides up to 1035 contiguous nucleotides of the nucleotide sequence set forth in any of SEQ ID Nos: 1, 3 and 5 or the complement of said nucleotide sequence, said oligonucleotide optionally having additional nucleotides at the 5' or 3' end that differ from the nucleotide sequence set forth in any of SEQ ID Nos: 1, 3 and 5 or the complement of said nucleotide sequence.

9. (Amended) The oligonucleotide of any one of claims [8,] 77, 78, 79, 80, 81 or 82, wherein said oligonucleotide is labeled with a detectable marker.

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27. (Amended) A method for identifying nucleic acids encoding a mammalian NAC, said method comprising:

contacting a sample containing nucleic acids with the oligonucleotide of any one of claims [8,] 77, 78, 79, 80, 81 or 82, wherein said contacting is effected under high stringency hybridization conditions, and identifying compounds which hybridize thereto.

66. (Amended) A functional fragment of the nucleic acid molecule of either claim 1 or claim 71, wherein said functional fragment comprises a nucleotide sequence encoding a CARD domain corresponding to amino acids 1128-1261 and 1306-1473 [1373-1473] of SEQ ID NO:2, and wherein said functional fragment associates with SEQ ID NO:2 or with Apaf-1.

68. (Amended) The nucleic acid molecule of claim 1, comprising a nucleotide sequence encoding amino acids 1128-1261 and 1306-1473 [1373-1473] of SEQ ID NO:2.

71. (Amended) An isolated nucleic acid molecule encoding a NAC, comprising a nucleotide sequence encoding a polypeptide having at least 80% identity to SEQ ID NO:2, or the complement of said nucleotide sequence,

wherein said polypeptide comprises amino acids 1262-1305 of SEQ ID NO:2,

wherein said polypeptide forms a CARD domain fold, and

wherein said polypeptide associates with SEQ ID NO:2 or with Apaf-1.

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73. (Amended) The nucleic acid molecule of claim 71, comprising a nucleotide sequence encoding amino acids 1128-1261 and 1306-1473 [1373-1473] of SEQ ID NO:2.

77. (Amended) An oligonucleotide consisting of the nucleotide sequence set forth as nucleotides 985-1641 of SEQ ID NO:1 or its complement, or a fragment thereof consisting of [comprising] at least 20 contiguous nucleotides therefrom, said oligonucleotide or fragment optionally having nucleotides at the 5' or 3' end that differ from SEQ ID NO:1 or its complement.

78. (Amended) An oligonucleotide consisting of the nucleotide sequence set forth as nucleotides 2422-2844 of SEQ ID NO:1 or its complement, or a fragment thereof consisting of [comprising] at least 20 contiguous nucleotides therefrom, said oligonucleotide or fragment optionally having nucleotides at the 5' or 3' end that differ from SEQ ID NO:1 or its complement.

79. (Amended) An oligonucleotide consisting of the nucleotide sequence set forth as nucleotides 3235-3960 of SEQ ID NO:1 or its complement, or a fragment thereof consisting of [comprising] at least 20 contiguous nucleotides therefrom, said oligonucleotide or fragment optionally having nucleotides at the 5' or 3' end that differ from SEQ ID NO:1 or its complement.

80. (Amended) An oligonucleotide consisting of the nucleotide sequence set forth as nucleotides 2870-2959 of SEQ ID NO:1 or its complement, or a fragment thereof consisting of [comprising] at least 20 contiguous nucleotides therefrom, said

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olignucleotide or fragment optionally having nucleotides at the 5' or 3' end that differ from SEQ ID NO:1 or its complement.

81. (Amended) An oligonucleotide consisting of the nucleotide sequence set forth as nucleotides 4117-4419 of SEQ ID NO:1 or its complement, or a fragment thereof consisting of [comprising] at least 20 contiguous nucleotides therefrom, said oligonucleotide or fragment optionally having nucleotides at the 5' or 3' end that differ from SEQ ID NO:1 or its complement.